

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Kenneth L. Lapsley,

Civil No. 11-20 (RHK/JSM)

Petitioner-Appellant,

v.

ORDER

United States of America,

Respondent-Appellee.

This matter is presently before the Court on Petitioner's application for leave to proceed in forma pauperis, ("IFP"), in his pending appeal. (Docket No. 29.) Petitioner was previously granted IFP status when he initiated this action in the District Court, (see Order dated January 20, 2011; [Docket No. 4]), so he is automatically entitled to proceed IFP in his present appeal, "without further authorization," unless the Court "certifies that the appeal is not taken in good faith or finds that [he] is not otherwise entitled to proceed in forma pauperis." Fed. R. App. P. 24(a)(3).

Although the Court remains fully satisfied that this action was properly dismissed, the Court finds that Petitioner's present appeal is brought "in good faith." Furthermore, the Court is not aware of any change in Petitioner's financial circumstances that might cause him to be ineligible for IFP status. Nor is the Court aware of any other reason why Petitioner should not be allowed to proceed IFP in his appeal. Therefore, Petitioner's current IFP application will be GRANTED pursuant to Fed. R. App. P. 24(a)(3).

Based upon the foregoing, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

Petitioner's pending application to proceed in forma pauperis on appeal, (Docket No. 29),
is GRANTED pursuant to Fed. R. App. P. 24(a)(3).

Dated: August 10, 2012

s/Richard H. Kyle
RICHARD H. KYLE
United States District Court Judge